**CPS-243** 

## UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NO. 02-3686

JOHN CHARLES KENNEY,

Appellant

v.

JAKE MENDEZ, Warden; JESUS "JESSE" GONZALEZ; JAMES "JIMMY" SCARBOROUGH; KELLY M. KEISER

On Appeal From the United States District Court For the Middle District of Pennsylvania (D.C. Civ. No. 00-cv-02143) District Judge: Honorable John E. Jones, III.

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B) June 19, 2003

Before: NYGAARD, FUENTES AND GREENBERG, CIRCUIT JUDGES

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted for possible dismissal under 28 U.S.C. §1915(e)(2)(B). On consideration whereof, it is now here

ORDERED AND ADJUDGED by this court that the appeal is dismissed under 28 U.S.C. §1915(e)(2)(B). All of the above in accordance with the opinion of this Court.

ATTEST:

marie M. Waldra

Clerk

DATED: July 16, 2003

Certified as a true copy and issued in lieu of a formal mandate on September 8, 2003.

marie M. Waldra

Teste:

Clerk, United States Court of Appeals

for the Third Circuit